

By: Frank, Swanson

H.B. No. 2764

A BILL TO BE ENTITLED

AN ACT

relating to minimum standards and caregiver training for substitute care providers for children in the conservatorship of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 42.042, Human Resources Code, is amended by adding Subsections (b-1) and (t) to read as follows:

(b-1) Not later than the earlier of December 31, 2020, or the date the commission conducts the next review required by Subsection (b), the commission shall create and implement a process to simplify, streamline, and provide for greater flexibility in the application of the minimum standards to licensed child-placing agencies, agency foster homes, and adoptive homes with the goal of increasing the number of foster and adoptive homes in this state. This subsection expires September 1, 2021.

(t) The commission by rule shall grant to each child-placing agency and each single source continuum contractor the authority to waive certain minimum standards related to preservice training, annual training, or other requirements that are not directly related to caring for the child for:

(1) the child's foster or prospective adoptive parent;
or

(2) foster homes that have no citations or violations reported to the commission.

SECTION 2. Section 42.0537, Human Resources Code, is amended by amending Subsections (a) and (b) and adding Subsections (d), (e), and (f) to read as follows:

(a) The department and each single source continuum contractor shall include a provision in each contract with a child-placing agency with whom children in the managing conservatorship of the department are placed that requires the child-placing agency to provide ~~[at least 35 hours of]~~ competency-based, preservice training to a potential caregiver before the child-placing agency verifies or approves the caregiver as a foster or adoptive home. Except as provided by Subsection (d), the amount of training required by this subsection may not exceed 35 hours.

(b) The department shall adopt policies to ensure that each potential caregiver receives ~~[at least 35 hours of]~~ competency-based, preservice training before the department verifies or approves the caregiver as a foster or adoptive home. Except as provided by Subsection (d), the amount of training required by this subsection may not exceed 35 hours.

(d) The department and each single source continuum contractor providing foster care placement or case management services may include in each contract with a child-placing agency with whom children in the managing conservatorship of the department are placed provisions that:

(1) require the child-placing agency to, before verifying or approving a prospective caregiver as a foster or adoptive home, provide to the prospective caregiver

competency-based, preservice training in addition to other training required under this section, based on the needs of the child being placed, including training regarding:

(A) the treatment of:

(i) children with complex medical needs;

(ii) children with emotional disorders;

(iii) children with intellectual or developmental disabilities; and

(iv) victims of human trafficking; and

(B) any other situation the department determines would require additional training; and

(2) allow the child-placing agency to provide training, in addition to other training required under this section for a prospective caregiver, that:

(A) meets the eligibility standards for federal financial participation under the requirements of the federal Family First Prevention Services Act (Title VII, Div. E, Pub. L. No. 115-123);

(B) meets the standards set by a nationally recognized accrediting organization; or

(C) meets the standards described by Paragraphs (A) and (B).

(e) The department may require training in addition to other training required under this section described by Subsection (d)(2), as appropriate, for certified child-placing agencies operated by the department.

(f) A child-placing agency may issue a provisional

1 verification as provided by Section 42.053(e) to a prospective
2 foster caregiver while the caregiver completes the training
3 required under Subsection (d).

4 SECTION 3. The changes in law made by this Act apply only to
5 a contract for foster care services entered into or renewed on or
6 after the effective date of this Act.

7 SECTION 4. This Act takes effect September 1, 2019.